

Exhibit 2

WILLIAM C. TOTH JR., *et al.*,

Plaintiffs,

V.

LEIGH M. CHAPMAN, *et al.*,

Defendants.

No. 1:22-cv-00208-JPW

Honorable Jennifer P. Wilson

2. Dismissal is appropriate under Rule 12(b)(1) because Plaintiffs do not have standing to sue and they assert unripe claims, and therefore this Court lacks

subject matter jurisdiction to resolve this dispute.

3. Dismissal is appropriate under Rule 12(b)(6) because, *inter alia*, Plaintiffs' allegations do not make out plausible claims for relief.

4. The Carter Petitioners shall submit a memorandum of law in support of this Motion as set forth in Local Rule 7.5 or as otherwise ordered by this Court.

WHEREFORE, the Carter Petitioners respectfully request that this Court enter an order granting this Motion to Dismiss and dismissing the First Amended Complaint with prejudice.

Dated: February 22, 2022.

Respectfully submitted,

/s/ Elizabeth V. Wingfield

Timothy D. Katsiff (PA 75490)

Elizabeth V. Wingfield (PA 32477)

Edward D. Rogers (PA 69337)*

Marcel S. Pratt (PA 307483)*

Robert J. Clark (PA 308105)*

Michael R. McDonald (PA 326873)*

Paul K. Ort (PA 326044)*

Ballard Spahr LLP

1735 Market Street, 51st Floor

Philadelphia, PA 19103

KatsiffT@ballardspahr.com

WingfieldE@ballardspahr.com

RogersE@ballardspahr.com

PrattM@ballardspahr.com

ClarkR@ballardspahr.com

McDonaldM@ballardspahr.com

OrtP@ballardspahr.com

T: (215) 665-8500

F: (215) 864-8999

Abha Khanna*
Elias Law Group LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
T: (206) 656-0177

Lalitha D. Madduri*
Jyoti Jasrasaria*
Tina Meng*
Elias Law Group LLP
10 G St. NE, Suite 600
Washington, D.C. 20002
lmadduri@elias.law
jjasrasaria@elias.law
tmeng@elias.law
T: (202) 968-4490

Matthew Gordon*
Perkins Coie LLP
1201 Third Avenue Suite 4900
Seattle, WA 98101
MGordon@perkinscoie.com
T: (206) 359-3552

Counsel for Proposed Intervenors

**Motions for Pro Hac Vice
Forthcoming*

AND NOW, on this ____ day of _____, 2022, upon consideration of the Carter Petitioners' Motion to Dismiss Plaintiffs' First Amended Complaint, and any responses thereto, IT IS HEREBY ORDERED that the Carter Petitioners' Motion is GRANTED and the First Amended Complaint is DISMISSED WITH PREJUDICE.

Hon. Jennifer P. Wilson, U.S.D.J.